Speech on Admission of New States

ADMISSION OF NEW STATES.

SPEECH

OF

HON. WILLIAM O. GOODE, OF VIRGINIA.

IN THE HOUSE OF REPRESENTATIVES, JUNE 9, 1858,

On the policy of admitting new States into the Union, and in defense of the South against the charge of perfidy in the repeal of the Missouri Compromise.

The House being in the Committee of the Whole on the state of the Union—

Mr. GOODE said:

Mr. CHAIRMAN: Oregon is before us, demanding to be recognized as an independent State, invested with supreme sovereign authority, and to be admitted into the Confederacy of American Republics.

The admission of a new State into the Confederacy, is the exercise of a high attribute of Government, but our authority is undoubted, since it rests on an express provision of the Constitution.

The creation of a Commonwealth, its initiation among the Republics of America, is an event to strike on the imagination, but the frequency of the occurrence has deprived it of interest. It has ceased even to produce a sensation.

It seems to have been adopted as the settled policy of Government to encourage new political organizations, to stimulate their growth, and admit them into the Union, as soon as circumstances will *excuse it*. It may be questioned whether the wisdom of this policy has been examined by the statesmen of the present day and generation. The expansion of our populated area, and consequent diffusion of our population, is calculated to impair the aggregate energy of society for the purposes of war and all the great objects of Government. The superior efficiency of concentrated effort, as compared with individualized exertion, seems to be admitted by sages, statesmen, and philosophers. It is the principle which rests at the foundation of the socialists' system, and has failed in their hands from the want of that unity of will and persistency of purpose which are essential to energy and success. It is self-evident, that the diffusion of population is unfriendly to concentration of force.

The great defect in American agriculture is the scarcity of labor. This evil is increased by the expansion of Territory, and bringing new western lands into cultivation.

The establishment of territorial communities, and the application of the complicated machinery of Government to distant and numerous localities, occasions an indefinite and alarming increase of expenditures.

The price of lands in the old States is injuriously affected by the hot-bed policy of creating new States. The emigrants from the East, seeking new lands in the West, would create a demand for lands in the East, and thus add to their market value. But this demand is lost by emigration; and, in addition to this evil, many emigrants force their own eastern lands into market, thus adding to the supply, whilst they have already lessened the demand, and thus greatly reduce the market value of eastern lands. When the lands of the emigrant are sold in the East, the purchasers are toiling through years sending money to the West to pay their debts. If this money could be retained in the East, a part of it would be invested in eastern lands, and thus add to the market value. But, being diverted from its natural channel, and sent off to the West, this advantage is entirely lost. Colonizing new Territories and States creates a spirit of speculation; and eastern capitalists, instead of investing their money in eastern lands, embark in western speculation, thus lessening the demand and reducing the price of our lands; whilst the withdrawal of capital from the natural channel occasions hard times and high interest for money.

Such are the effects of the colonizing policy, on the physical condition, the agricultural and commercial prosperity of the old States. Its political results are analogous. To one unfamiliar with the secret springs to political movements at the seat of Government, it would appear mysterious and incomprehensible, that Representatives from the old States on the Atlantic, should manifest such eagerness to establish new States in the West. It is undoubtedly true that political machinations exert an influence on the subject. It is by no means certain that presidential aspirations are wholly inert and inefficient; whilst it is impossible wholly to exclude the idea that the spirit of speculation occasionally obtrudes into the mind of Congress, inclining members to favor a policy affording a wide field for speculative operations. These and other causes have conspired to give a powerful impulse to the policy of stimulating new political organizations to be hurried into the family of American Republics—a policy which invests a comparatively few pioneer settlers in the West with a political power, exerting a controlling influence on the policy of Government, disastrous in its effect on the material condition, the agricultural and commercial prosperity of the old States.

As an illustration of the effect of this policy, let us contemplate the probable results of the legis ation of the present Congress. Minnesota is admitted with a population of about one hundred and fifty thousand souls, wielding a power in the Senate equal to the imperial greatness of New York with a population approaching four millions! Oregon, with a population of fifty thousand, will be admitted, to wield a power in the Senate equal to the great State of Pennsylvania, the keystone of the beautiful arch of the Confederacy, with a population, perhaps, of two millions and a half. Bleeding Kansas, to weigh down the "unterrified Old Dominion!" Let it be remembered that the Senate shares the whole legislative power with the House of Representatives, and a large portion of executive authority with the President of the United States; thus commanding the action of Government!

Sir, nothing less than a powerful motive could reconcile the northern Atlantic States to the policy of stimulating the admission of new States; and that motive is to be found in their hatred of the institutions of the South. The new States are expected to be free States, sympathizing with the Abolitionists in their rancorous detestation of the South; and the fanatical impatience to establish in the Senate a decided preponderance of Free-Soil influence, reconciles the North to the great sacrifice to which they are subjected by the operation of this destructive policy. That preponderance is already established—fearfully, fatally established. At the opening of the present session of Congress the Senators from the free States were thirty-two; those from the South only thirty, giving to the North a majority of *two*. The members of the House of Representatives from the North, numbered one hundred and forty-four; those from the South only ninety, giving to the North a majority of *fifty-four*.

At the last presidential election the members of the electoral college of the North, numbered one hundred and seventy-six; those from the South, one hundred and twenty, giving to the North a majority of *fifty-six*. The whole strength of the Democratic principle, with the vast energy of the Democratic organization, were barely able to save the South from the effects of an election purely and completely sectional.

At the opening of the next Congress, Senators from the North will probably number thirty-eight, those from the South but thirty, giving to the North a majority of eight; whilst in the House of Representatives the members from the North will probably range one hundred and forty-eight, those from the South only ninety, giving to the North a majority of *fifty-eight*. At the next presidential election, the electoral college from the North will probably number one hundred and eighty-six; those from the South, one hundred and twenty, giving to the North a majority of *sixty-six*. After the taking of the next census this condition of things will be incalculably aggravated. Thus is it shown that the ascendency of the North is completely established in all the elective departments of the Government; and the constitutional rights and equality of the South are held at the mercy of the North. The rights of the South are absolutely dependent on the justice and clemency of those who hold our institutions in detestation, who have already indulged in threats, and who have been unable to repress the mutterings of rage and of revenge.

It has been beautifully and poetically said by Byron that "none are all evil." It may be that objectionable principles, when pushed to their extent, produce favorable results. We of the South may derive some advantage from the policy of stimulating and admitting new States. True, they will probably side with the North on the vital question of slavery; but they will find their interest in the principle of free trade, and may be induced to lend assistance to the South, in reducing the duties on imports, in repealing drawbacks and bounties, and modifying the navigation laws so as to deprive the North of the unjust, oppressive, and ruinous monopoly of the carrying trade. Southern energy will be directed to the accomplishment of this important object.

These suggestions are merely offered—not elaborated. They are designed only to give direction to the current of thought, and especially to the Representatives from the South. In a speech elaborately prepared, and delivered some years since, it was said by Mr. CLINGMAN, that, under the operation of the navigation laws, freight from New Orleans to New York was equal to freight from New York to Canton! I do not discuss this topic now. I hope hereafter to be able to bestow on it greater attention. For the present, I pass on the great highway of thought to the examination of topics which have already engaged attention.

Sir, I have a duty to perform, a solemn duty; a duty to the South, to Virginia—to John Randolph of Roanoke. Some days since, my honorable colleague [Mr. GARNETT] made allusion to the deed of cession by which Virginia conveyed the Northwestern Territory to the United States, and especially to the clause which stipulates that not more than five States shall be formed of the Territory, and he charged, as a breach of the pact, that a large extent of territory was left without the boundaries of the five northwestern States. A member from Pennsylvania [Mr. GROW] repelled the charge, and represented that part of the Virginia grant as a mere strip of country attached to Minnesota, a magnificent State with ninety thousand square miles of territory, one third greater than the State of Virginia! and with this statement the member seemed to feel his vindication complete. Now, sir, this strip of country, of which he speaks with so much levity, is a tract of twenty-two thousand square miles, being nearly equal to one half the superficial extent of the great State of Pennsylvania or New York, and about equal to all that part of Virginia which lies between the Blue Ridge and the Atlantic, full three times as large as the *whole* State of Massachusetts! larger than the combined area of New Hampshire, Massachusetts, Rhode Island, and Connecticut!

It may be proper to remark that, in superficial extent, this *strip of country* is more than equal to one third part of the State of Georgia. The gentleman from Georgia [Mr. STEPHENS] treated the suggestion of my colleague as a reason urged for the rejection of the bill. But that view was waived, and it was adduced as a violation of the terms of the deed of cession. Considered as an objection to the bill, the gentleman from Georgia insists that it was taken too late; that it should have been stated on the passage of the enabling act. But if Congress, in the enabling act, by its own act, set forth a boundary involving a breach of trust, is it competent to Congress to excuse the consummation of that breach of trust in the

act for admission, by pleading that the breach was initiated in the enabling act? That is a question which I refer to the casuists. In any event, my colleague was not concluded to make the objection, because he voted against the enabling act, as I did. But waiving this objection to the admission of Minnesota, I voted for the bill, while I hold that as an unjust and oppressive violation of the terms of the cession, the suggestion of my colleague remains without answer. As such it was brought forward, and as such it was considered by the gentleman from Pennsylvania, [Mr. Grow.] Warming with his subject, and assuming a lofty bearing, this gentleman announced that the charge of breach of faith came with an ill-grace from my colleague, because, he says:

"Your fathers and our fathers made a compact in 1820, by which the Louisiana purchase, west of the then limits of Missouri, and of north 36° 30', was dedicated forever to freedom; but afterwards you took the Platte counties, now the seven western counties of Missouri, the richest and noblest portion of that State, from under the operation of that ordinance, and dedicated it to slavery. Your fathers did that, and you have justified the act."

I do "justify the act;" I have justified much more than that; and stand ready to vindicate the deed. But, sir, my object is to deny, to surcharge, and falsify the allegation that "your fathers and our fathers made a compact in 1820 by which the Louisiana purchase west of Missouri, and north of 36° 30', was dedicated forever" to what you call freedom. I deny that such a compact was ever made between the North and South; and if there were, then I deny that Virginia was any party to such compact. In other words, I deny that there ever was plighted faith on the part of the South, and especially of Virginia, to invest the act of Congress usually described as the Missouri compromise, with any peculiar degree of sanctity. The charge has been often made. Members of Congress from the North have felt themselves called upon to indulge in strains of bitter denunciation of the perfidious breach of faith involved in the action of southern members in repealing the Missouri compromise. The charge is gratuitous, and unsupported by the truth of history.

Sir, I am at a loss to conceive on what evidence the declaration has been hazarded that the Missouri compromise, as it is termed in common parlance, was invested with the dignity of a compact, or varied in any manner from an ordinary act of Congress. This cannot be inferred from the fact that several southern members voted for the measure; because such a rule would invest every law with the dignity and sanctity of an *unalterable compact*. But, even upon such a rule, it is shown by the record that the Missouri compromise was rejected by Virginia, and repudiated by her Representatives in Congress. It has been conceded, because it could not be denied, that the measure was proposed by a northern Senator. In the session of 1819-20, "A bill for the admission of the State of Maine" had passed the House of Representatives; and, in the Senate, a committee had reported, as an amendment to that bill, a clause for the admission of Missouri on the same terms; that is, without restriction on the subject of slavery. Various propositions were made to amend that amendment, by adding a section to exclude the institution of slavery from the State of Missouri; but all these were successfully resisted by the united South. Defeated in the object of excluding slavery from the State of Missouri, the North, in the person of Mr. Thomas, of Illinois, brought forward the clause to exclude it from the Territories north of 36° 36' north latitude, and not comprehended within the limits of the State. The vote was taken on that proposition on the 17th February, 1820. It was supported by every *northern* Senator, except the two from Indiana, and carried in the affirmative. The vote was taken by yeas and nays. Both the Senators from Virginia recorded their votes in the negative and against the Missouri compromise, as did also Nathaniel Macon, of North Carolina, and Judge Smith, of South Carolina, both of whom have been claimed as supporters of the compromise. (See Senate Journal, 1819-20, page 166.)

I am aware it has been stated on authority—high indeed with many minds—that the yeas and nays were not taken on the motion "to insert the section constituting the compromise." (See "Benton's Thirty Years View," page 8.) But I exhibit the record. The vote then recurred on the question, "Shall the amendments to the bill be engrossed, and read a third time?" and on this Virginia, and the South generally, did vote in the affirmative. But that was not a clear vote on the single principle of the Missouri compromise. The amendments ordered to be engrossed were the sections providing for the admission of Missouri as an amendment to the Maine bill, and Virginia voted with the South, that if Maine were admitted, Missouri should be admitted also, without the clause excluding slavery, even though Congress usurped the power to exclude it from all territory north of 36° 30' not comprehended within the limits of the State; and the bill passed the Senate in that form, without division. A very different fate awaited it in the House of Representatives, where the amendments were rejected by a very general vote—the North being against them because they admitted slavery in the State of Missouri, whilst the South opposed them because they excluded slavery from the Territory.

The House having thus rejected the amendments, the bill was sent back to the Senate, where a member from Rhode Island (Mr. Burrill) moved to recede from the Senate amendments, and Mr. Macon called for a division of the question, so as to take one vote on admitting Missouri without restriction, and another vote on the section excluding slavery from the Territories. Mr. Smith and Mr. Macon, with both the Virginia Senators, and a majority of the Senate, including all the Senators from the South, voted against receding; namely, they voted to insist on her admission; and so the clause was retained. The question was then taken on receding from the amendment which prohibited slavery north of 36° 30' in the Territories, when Mr. Smith and Mr. Macon, with both the Virginia Senators, voted to recede, which was equivalent to a vote to strike out the section: that is, to reject the Missouri compromise. (See Senate Journal, page 189.) Yet it has been asserted that Nathaniel Macon and Judge Smith and James Barbour and James Pleasants had recorded their plighted faith in favor of this compromise, to be observed as a sacred compact between the North and South! The Senate then insisted on its several amendments; and no other vote was taken in that body at all involving the principle of the compromise, until after the report of the committee of conference. Heaven save the country from all future committees of conference!

It recommended that the Senate recede from all their amendments to the bill for the admission of Maine, and that the bill of the House of Representatives to enable the people of Missouri to form a State government, &c., should be so amended as to strike out the clause prohibiting slavery within the State to be formed, and to insert a new section prohibiting slavery in all that territory ceded by France to the United States, under the name of Louisiana, which lies north of 36° 30′ north latitude, not included within the limits of the State of Missouri.

The country is familiar with the report of that committee. On the question to strike out the clause prohibiting slavery in Missouri, Virginia, and the whole South, with a large majority of the Senate, voted in the affirmative, thus admitting slavery into Missouri. The question to insert the compromise clause was carried without a division. But that does not justify the inference that the Virginia Senators assented to the principle of the Missouri compromise. They had already voted against its insertion in the first instance. They had voted to strike it out, when an opportunity was presented. They had sufficiently evinced their opposition to the principle, and as a small and helpless minority, it was unnecessary to consume the time of the Senate with an unavailing vote by yeas and nays.

It has been alleged in the "Thirty Year's View," (page 8,) that—

"The unanimity of the slave States in the Senate, where the measure originated, is shown by its Journal, not on the motion to insert the section constituting the compromise (for on that motion the yeas and nays were not taken) but on the motion to strike it out, when they were taken, and showed thirty votes for the compromise and fifteen against it—every one of the latter from non-slaveholding States—the former comprehending every slave State vote present, and a few from the North."

The author then furnishes a list of the Senators who are claimed to have voted for the compromise, and among them are Governor Barbour and Governor Pleasants of Virginia, Judge William Smith of South Carolina, and Nathaniel Macon of North Carolina, and, indeed, all the Senators from the South, with several distinguished names from the northern States, and declares that "this array of names shows the Missouri compromise to have been a southern measure."

I have to say that after diligent search, I have not been able to discover the record of such a vote. I do find that after the adoption of the clause excluding slavery from the Territories, north of 36° 30′, Mr. Trimble, of Ohio, did move to strike out *that clause* and *insert another*, extending the operation of the principle of the compromise so as to apply it to all territory north of 36° 30′ and all *south of that line* not embraced within the boundaries of the State of Louisiana and the Territory of Arkansas east 94° of longitude—agreeably to Melish's map. On this question, James Barbour, James Pleasants, Nathaniel Macon, William Smith, and every southern Senator, did vote in the negative; but that was a vote refusing to *extend* the principle of the compromise; a vote refusing to give it application to territory south of 36° 30′; and cannot be tortured into an approval of the compromise. Yet that was the only vote on the subject, in the Senate, of which I can find a record, taken after the carrying into effect the recommendation of the committee of conference. (Senate Journal 1819–20, page 202.)

Sir, I deny that there is evidence on record—I deny that there is evidence in being to establish the proposition that the Senators from Virginia, or Nathaniel Macon, or William Smith, of South Carolina, ever gave the sanction of their names to the principles of the Missouri compromise, to be observed as a compact between the North and South—binding in plighted faith—sacred and immutable.

Passing from the Senate to the House of Representatives, we shall find the South resolutely and persistently resisting the principle of excluding slavery, as well from the State as from the Territory, from the day of its introduction in the bill of February, 1819, down to the final voting on the Maine bill on the 28th of February, 1820, when the amendment of the Senate having for its object the admission of Missouri with slavery, and the amendment having for its object the exclusion of slavery from the Territories, were expressly disagreed to and *rejected* by the House.

In the House of Representatives, February 28, 1820, the amendment for the admission of Missouri with slavery, was supported by every member from the South except *one*. It was opposed by every member from the North except *five*. Seventy-six members voted to admit the State with slavery, seventy-one coming from the *South*. Ninety-seven members voted against admitting the State with slavery, ninety-six coming from the North.

The amendment to exclude slavery from the territory north of 36° 30′ was resisted by every member from the South, except five. Sixty-seven members from the South recorded their votes against that principle, and but five in its favor. (See House Journal 1820, pages 255, 256, 257.) Thus is it shown, that the South was united against the principles of the compromise down to the close of the voting on the 28th February, 1820; and I feel that I should do injustice to my native State—my own beloved Virginia—if I should fail to direct attention to the fact that on that day she cast twenty-two votes to admit Missouri with slavery, and twenty-two votes against excluding slavery from the Territories—one member from Virginia only voting against the body of his colleagues!

It was, then, on the 28th February, 1820, that a *northern* Senator moved, in the Senate, for a conference. Ominous and boding proposition! Sir, I always experience a sensation of uneasiness at the slightest allusion to that cunning device—that powerful, that dangerous and mischievous agency, known as a committee of conference. The resolution for a conference was adopted; and Mr. Thomas, of Illinois, (author of the compromise,) Mr. Pinckney, of Maryland, who had supported the compromise, and Mr. Barbour, of Virginia, were appointed managers on the part of the Senate. The House of Representatives concurred, and Mr. Holmes, of Massachusetts, Mr. Taylor, of New York, Mr. Lowndes, of South Carolina, Mr. Parker, of Massachusetts, and Mr. Kinsey, of New Jersey, were appointed managers on the part of the House of Representatives. Four members from the North and one from the South.

I have already stated the character of the report of the committee. It recommended that the clause excluding slavery from Missouri should be stricken from the Missouri bill, and a new section inserted excluding slavery from the Ter-

rities north of 36° 30′. And as the votes of members on these two propositions are relied upon to decide the character of the transaction, I ask for the subject the particular attention of this body. It was on the 2d of March, 1820, when the House was called to act. It was a moment of intense interest. It was known that the fate of the measure depended on the vote to strike out the clause excluding slavery from Missouri, because it had been ascertained by repeated tests that no bill could pass the Senate which excluded slavery from the State. It was known to be extremely doubtful whether the motion to strike out could prevail. By voting with those from the North who were opposed to the motion, the South could retain the clause in the bill, and secure the ultimate defeat of the measure. But such a vote was inconsistent with their principles; and the result was doubtful to the last. But they did act upon their principles, cast their votes for the motion, and the clause was stricken from the bill—yeas 90, nays 87. I shall have occasion, in a few moments, to recur to this vote.

The clause excluding slavery from Missouri having been stricken from the bill, the question recurred on inserting the section which excluded slavery from the Territories; which prevailed by a large majority—yeas 134, nays 42. (House Journal 1819–20, page 277.) Of the one hundred and thirty-four yeas, ninety-five came from the North, thirty-nine from the South. Of the forty-two nays, five came from the North, and thirty-seven from the South. It will be observed that the North cast one hundred votes, of which *ninety-five* supported the compromise, and *five* opposed it. The South cast seventy-six votes, of which *thirty-nine* were cast in the affirmative, and *thirty-seven* against the compromise. With the irresistible power of a conference committee exerted in favor of the compromise, the South was divided as thirty-nine to thirty-seven, whilst ninety-five of one hundred from the North voted in a body for the bill. Yet have northern members stood up here to treat the Missouri compromise as a measure of the South forced upon the North, ranting and declaiming and denouncing the South for a perfidious breach of plighted faith pledged between "your fathers and our fathers!" Sir, in the presence of the American Congress, I denounce the Missouri compromise as a measure of the North forced upon the South. Like all other compromises, as a measure of the strong forced upon the weak.

Again, sir, I say, I feel that I should fail in my duty to my own, my native land—my own beloved Virginia, if I did not direct attention to the fact, that, even by the anaconda coil of a conference committee, she could not be constrained to assent to the hateful principle of the Missouri compromise; but on this final test she cast *eighteen* votes against the compromise, and only *four* in its favor; and that, too, when her own son, James Monroe, as President of the United States, was known to feel the deepest interest in the success of the measure.

I said I should revert to the vote to strike out the clause excluding slavery from Missouri. The defeat of that proposition would have secured the defeat of the Missouri compromise, because the Senate would have rejected it; but the body of southern members voted to strike it out, because *they held it to be a paramount duty to admit Missouri without the restriction.* The motion prevailed by a majority of three votes—yeas 90, nays 87. It was observed that, during the voting, several northern members, who were opposed to the motion on principle, because it would admit slavery into Missouri, retired from the House withholding their votes, and thus securing the success of the motion, and, eventually, the success of the compromise. This fact is stated on the authority of Hon. Charles Fenton Mercer, then a member of Congress from Virginia, and one who voted for the Missouri compromise. I give extracts from a letter, dated Berlin, Prussia, September 12, 1854, directed to Hon. William S. Archer, of Virginia, also a member of Congress from Virginia, in 1820. Mr. Mercer says:

"After I arose, a former class mate of mine at Princeton, Henry Edwards, of Connecticut, left it, (the House,) and did not return till the vote had been taken." * *

"The question was thus delayed till the night was far advanced. As soon as I recovered, and the members regained their seats, the question was taken, by ayes and noes; and the first amendment adopted by a majority of three votes only, in the absence of Edwards and *several others of its opponents.* Its friends were all present, and numbered among them Randolph and yourself." * *

"The second resolution was then put, and passed by a large majority, of which I was one, you and Randolph voting against it. As soon as he perceived that many members from the South had voted for it, he sprang up from his seat, in great indignation; and exclaiming as he addressed the Speaker, 'the cards are packed; I will not play the game,' moved a reconsideration of the first amendment, which motion you seconded. Deducting your vote and Randolph's from the majority, it was obvious that the first amendment would be lost, even though the opponents of it, who had gone out, and whom Randolph styled doughfaces, had not returned, as some of them obviously had. It was now late at night. The Senate had adjourned: and a member friendly to the second resolution, as well as the first, perceiving that if the vote were taken the amendment would be lost, requested Mr. Randolph to withdraw his motion till the ensuing day; stating that, as the Senate had adjourned, the resolution could not pass that night, and that the rules of the House allowed a day after the passage of any act for its reconsideration." * * * * * * * *

"I was seated by Mr. Randolph." * * "Accordingly, he waved his motion for the present, announcing his intention to renew it the ensuing morning; and the House immediately adjourned.

"The morning came; the House met, and Randolph was in his place; he rose and renewed his motion, which the Speaker pronounced out of order, as the reports of committees had precedence, after the reading of the Journal, to all other business.

"In the mean time, the Clerk, having read the Journal, was seen walking towards the door leading to the Senate, with the resolution and the amendment in his hand, when Randolph's attention being called to the fact, he audibly ordered him to stop. Instantly Lewis McLane commanded him to 'proceed at his peril,' in a voice still louder than Randolph's. The Clerk did so; and so the Senators, as I *personally know*, being prepared by Thomas, of Illinois, took up the amendments as soon as the resolution reached their table, and finally passed them, and consequently thereby closed all further proceedings in regard to it.

"The reports of committees having been ended in the House, Mr. Randolph again rose to renew his motion for reconsideration, when he was officially told by the Speaker that the bill had gone to the Senate."

Such is the statement of the honorable Charles Fenton Mercer, sustained in its essential points by the Journal of the House of Representatives. (See Journal March 3, 1820, page 275, *et seq.*)

It appears from the Journal (page 279) that Mr. Randolph submitted the motion to reconsider the vote, and that it was ruled by the Speaker to be out of order; from which decision Mr. Randolph appealed, and the decision of the Speaker was sustained by the House.

When the committees had been called, the Speaker announced that "petitions are in order from the States;" and when Virginia was called, Mr. Randolph moved the House to retain in their possession the act for the admission of Missouri until it should be in order to move to reconsider

the vote of the preceding day. The Speaker ruled that motion out of order, for the reasons stated on the previous motion made by Mr. Randolph "to reconsider the vote of yesterday." (House Journal, page 280.)

When the States had been called for petitions, and reports had been received from the several committees, and a message had been received from the Senate, Mr. Randolph moved the House to reconsider the vote of the preceding day on the first amendment to the bill for the admission of Missouri; and then the Speaker, having ascertained the fact, informed the House that the proceedings of yesterday on that bill had been officially communicated to the Senate by the Clerk; whereupon Mr. Randolph moved a resolution declaring that in carrying the bill to the Senate, after he had given notice of his purpose to move a reconsideration of a vote of yesterday, on which he voted with the majority, "the Clerk is guilty of a breach of the privileges of a member of this House, under the rules thereof." The Speaker put the question: "Will the House now proceed to consider the said resolution?" and it was determined in the negative.

Mr. Randolph then submitted the following proposition:

"That so much of the 37th rule as allows a reconsideration of any question, by motion of a member of the majority on such question, on the day succeeding that on which such question be taken, be expunged."

The said proposition was read, and ordered to the table *for one day;* and then, *immediately*, it was ordered, on motion of Mr. Gross, of *New York*, that when the House adjourns it adjourn to meet on Monday next. (See Journal House, page 281.) And on Monday, a message was received from the President of the United States that he had *signed* "An act to authorize the people of the Territory of Missouri to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States, and to prohibit slavery in certain Territories. (See House Journal, March 6, 1820, page 287.)

And now, sir, with this unvarnished narrative of facts, attested by indisputable evidence, I submit to the judgment of the candid, whether my illustrious predecessor was not visited with a degree of rigor in the application of the rules which amounted to practical tyranny? And, sir, it was this rigor of rule, this tyranny of practice, which carried through the forms of legislation this detestable Missouri compromise. A compact between "your fathers and our fathers!" No, sir. It was an iron edict forced upon the South by the North—forced upon the weak by the strong.

Sir, John Randolph of Roanoke moved a reconsideration of a vote on a vital question; and, by the rigid ruling of the Speaker, his repeated efforts to secure a vote on his motion were all defeated; and the vote on his motion and several resolutions was never taken, until the question involving the fate of the compromise had been taken from the House to the Senate, had been acted on by the Senate, and sent to the President, and approved by the President and returned to the House!

And now, sir, I have shown that the compromise originated with the North, and was introduced into the Senate by Mr. Thomas, of Illinois. When originally inserted as an amendment to the Missouri bill, it was supported by every Senator present from the North, except the two from Indiana, (Mr. Noble and Mr. Taylor.) The strength of the opposition to the amendment came from the South: Virginia, South Carolina, and Georgia voted against it; North Carolina was divided—Mr. Macon against, and Mr. Stokes in the affirmative. The body of the slaves at that time was to be found in those States. The South was divided on that amendment as twelve yeas to eight nays; but a majority of the slave interest was represented by the eight Senators. The Senators from Delaware were of the twelve; and that State, on the border of Pennsylvania, is conceded to have but small interest in the subject. The southern Senators who supported the amendment represented new States, asking favors daily from this Government, at a time when it was notorious that the President of the United States was extremely anxious the measure should prevail.

I have shown that in the House of Representatives the compromise was resolutely and persistently resisted, until the report from the committee of conference; and, even with the irresistible force of that agent, seconded by the influence of a southern President, the South was divided into parts of almost exact equality, whilst *ninety-five* of *one hundred* northern members voted in a body for the Missouri compromise. Yet has it been paraded as a measure of the South, forced upon the North!

But, sir, I confess that the fact to which I point with peculiar emphasis, and with a feeling of personal pride, is the position of my native State—resisting the fatal principle of the compromise, regardless alike of all considerations of a delusive State policy and the seductive blandishments and allurements of executive influence.

And now, sir, I demand justice at the hands of the northern Representatives. I exact it as an obligation of honor, from every member from the North, whenever he finds himself declaiming before his constituents on the perfidious infamy of the South in violating her plighted faith by the repeal of the Missouri compromise, to exempt Virginia from the force of his denunciation, or to feel, in his own heart, that he is meanly attempting to impose on the ignorance of his own constituents in attempting to produce a false impression by a representation of facts which, as to Virginia, he knows to be false.

Sir, in the order of Providence and the workings of fortune, it devolves on me, all unworthy as I am, to represent the grave, the ashes, the memory, of John Randolph of Roanoke. It is a perilous privilege to stand here to-day as the humble defender, if not the champion, of his brilliant fame; but, sir, I proudly present for the admiration of his country this bright example of his sagacity, this striking proof of his devoted fidelity to his native State. Sir, if he were not the most fervid and impassioned orator of that Augustan age in which he lived, he possessed a power of language amounting to a fascination—a mysterious charm—exerting an influence over the will and conduct of men which I never witnessed in another.

And now, sir, I feel myself fully authorized to commend the poisoned chalice to the lips of the honorable gentleman from Pennsylvania, and to say to him that the charge of broken faith comes with an ill grace from that side of the House. I might challenge the honorable gentleman to point to a single instance of plighted faith, faithfully

executed on the part of the North towards the South. If, for the sake of the argument, but against the truth of the case, we assume that the act for the admission of Missouri was founded in pact, involving honor and plighted faith—it can be readily shown that the compact has been disregarded by the North. If it were a compromise at all, it rested on the principle of a partition of territory between parties contending for political power, settling their dispute by dividing the subject of controversy on a geographical line. This is the construction now sought to be established by the North, and by the gentleman from Pennsylvania as a Representative from the North. The contest for political power was settled on the principle of a division of territory on 36° 30′ north latitude. In the case of the Louisiana purchase, the South made the sacrifice and abided by the principle. As the law of the province of Louisiana was supposed to extend the institutions of the South throughout its borders, the principle operated in favor of the North. They availed themselves of it, and secured from the South the whole territory north of that line, being nine hundred and sixty-four thousand square miles; leaving to the South only two hundred and twenty-four thousand four hundred and forty-five square miles. Again, when Texas was annexed, the laws of that State established the institutions of the South throughout her borders; but a large part of her territory extended north of 36° 30′ north latitude, and the application of the alleged principle of the Missouri compromise would operate an advantage to the North. They accordingly claimed it and received it, and secured from the South all that part of Texas lying north of 36° 30′ north latitude, being forty-three thousand five hundred and thirty-seven square miles. In both these instances the North eagerly appropriated the advantages of the principle of the alleged Missouri compromise, and the South submitted to the operation of a bad principle and hard bargain.

In the running of time it came to pass that acquisitions were made from Florida. Here, too, the *lex loci* established the institutions of the South; and far the larger portion of the acquisition was north of 36° 30′, being the Territory of Oregon, with three hundred and forty-one thousand four hundred and sixty-three square miles; whilst in Florida proper, south of 36° 30′, there were no more than fifty-nine thousand square miles. The North again availed themselves of the operation of the principle of the Missouri compromise, and appropriated to themselves all of Oregon.

Time rolled on, and it came to pass that acquisitions were made from Mexico, where slavery was prohibited. Here was a new phase in the operation of the principle of the pretended compromise. Its action would be injurious to the interest of the North, and offensive to northern prejudices. The South would acquire an extensive area where our institutions had been excluded by the law of Mexico. On three different occasions the principle had operated against the South. The North had insisted on the advantage; the South had acquiesced; and the North had secured the advantage; but on this first occasion when the principle secured an advantage to the South, it was repudiated by the North, and they claimed the whole extent of the Mexican grant. In vain did the South point to Louisiana. In vain did we point to Florida. In vain did we point to Texas. These examples were utterly disregarded; the principle of the Missouri compromise was repudiated; the South was excluded from all participation in the vast territory acquired from Mexico; and the North appropriated all to themselves!

They did even more than this. They took all, and more than all. They raised a claim to territory in Texas, and with $10,000,000, taken from the Treasury, they compromised with Texas and settled the boundary between Texas and New Mexico, so as to take from the South eighty-two thousand square miles of Texan territory south of 36° 30′, and subject it to the authority of free soil North. Texas claimed the boundary of the Rio Grande. Mexico invaded that territory. It was resented by the United States as an invasion of the sacred soil of America. Mexico was repulsed. The *Texan title* was supported by the United States, and conquered from Mexico by the power of the sword. As an indemnity for the expenses of the war, a large cession of territory was made by Mexico to this country, and the United States succeeded to whatever title Mexico might have in the lands granted. New Mexico was comprehended in the grant; and, as an American settlement, asserted against Texas the very title which had been asserted by Mexico against Texas, and which had occasioned the war; and which title had been conquered from Mexico by American arms, and conquered from her as the rightful dominion of Texas. Yet the Government of the United States supported the claim of New Mexico to the very land which had been conquered from Mexico as part of Texas, and made that claim the basis of a compromise with Texas, by which $10,000,000 were taken from the Treasury to purchase out the claim of Texas, so as to add to New Mexico eighty-two thousand square miles, from which the institutions of the South are excluded, and which is subjected to the jurisdiction of Free-Soilers and Abolitionists of the North.

I shall be pardoned in reviving a few other reminiscences of Punic faith. In 1833 the country was convulsed with the tariff agitation. Northern oppression had goaded the South into open and frantic hostility to the policy of Government, and there was imminent peril of collision of arms. The South was pacified and appeased by a compromise, which stipulated that at the close of ten years duties should be collected by a horizontal tariff of twenty per cent. *ad valorem*. The South, in a true and lofty spirit of patriotism, consented to a very gradual reduction, so as to enable the North to prepare for the contemplated change. For seven years the reduction was so slight as to be scarcely felt in the practical operations of the country. In 1841 the reduction was considerable; and though the North had been allowed seven years to accommodate themselves to the proposed change, they filled the country with loud and frantic complaints; they repudiated the principle of the compromise: they denounced the act of 1833, and declared that by its own terms it expired in 1843—the very time when, by the terms of the compromise, the horizontal duty of twenty per cent. was to be established as the permanent policy of Government. And in the stead of a faithful execution of the terms of the compact, they enacted the unjust, unconstitutional, odious, and oppressive tariff of 1842.

And thus has it been throughout our history. In 1784, Virginia executed her deed of cession, for which she has received declamatory laudations

and nothing—nothing more. Instantly machinations were set on foot to apply to the vast territory the ordinance of 1787, and thus to exclude the generous donor from all participation in the settlement of that territory, of which she had made a munificent and magnificent contribution to the United States. Northern politicians have been content to refer this movement to Thomas Jefferson, as a justification to them for its enactment. But Jefferson was not infallible, and he was the only friend of the measure, and the solitary representative of that sentiment from Virginia in 1784. His State, with the entire South, voted against the ordinance in the Continental Congress, and it was successfully resisted by the unanimous South until 1787, when it is supposed to have passed, in consequence of a compromise entered into between the North and South, as I shall now proceed to relate.

The Federal convention, which adopted the Constitution of the United States, was in session in Philadelphia. The Continental Congress was also holding its session in New York. In adjusting the principles of the Federal Constitution the convention had adopted a provision requiring a vote of two thirds to pass laws on the subject of commerce and navigation, which was very unacceptable to the North. It was also fiercely contested whether slaves should be regarded as persons or property; whether they should be held as entitled to representation, or treated as mere property subject to *taxation*. It was also a question discussed whether an obligation rested on the northern States to return fugitive slaves to their owners; and on these several topics the heats and dissensions became so great as to justify the apprehension that the convention would dissolve without framing a Constitution at all. In this state of things it seems to have been understood between the members of the convention that the South would agree to surrender the two-thirds vote on the subject of commerce, and subject it to the action of a mere majority; and that they should recommend to the Continental Congress to adopt the ordinance of 1787, excluding slavery from the Northwestern Territory, on condition that the North would insert in the Constitution a clause for the rendition of fugitive slaves, and allow a representation for three fifths of the slaves, at the same time imposing a tax on three fifths, and exempting two fifths from taxation.

Sir, the South has faithfully executed this contract. They surrendered the two-thirds vote on the subject of commerce, and subjected it to the action of a mere majority, by which they enabled a northern majority to initiate and establish a commercial system destructive to the South, and eminently advantageous to the North; a system which has secured to the North great cities, marble palaces, and gorgeous equipages, resulting from profits on the labor of the oppressed South —that South ground into the dust under the operation of this odious commercial system. And again the South did consent to the ordinance of 1787, and thereby established forever the oppressive ascendency of the North; bringing into the present House of Representatives the all-controlling force of fifty members. How has the North performed her part of the contract? How has she redeemed her plighted faith?

As to representation, it is true we have about twenty m[illegible] ved from sla[illegible] ave forty-eigh[illegible] of the memb[illegible] on, it was int[illegible] on, an equita[illegible] of Governme[illegible] ing the several States. But discarding the policy of direct taxes, you levy taxes by duties on imports—regulated by the vote of the numerical northern majority—and you have infused into the system, as a governing principle, high duties on commodities consumed by slaves and the owners of slaves, and low duties on the commodities consumed by the inhabitants of what you call *free States;* thus defeating the object of the Constitution, and inflicting on the South a grievous practical oppression.

How have you redeemed your plighted faith on the subject of the fugitive slave? The provision of the Constitution is mandatory; its language explicit: he "shall be delivered up on claim of the party to whom such service or labor may be due." Have you obeyed this mandate? Have you executed this provision of the Constitution? Have you redeemed your plighted faith, thus solemnly pledged in the fundamental, sacred compact of union? It is notorious that you have resisted and defeated it. The provision is worth nothing to the South, nothing to any one citizen of the South. You have resisted it individually and collectively, socially and politically. You have resisted it as men and as citizens; you resisted it in county meetings, in primary popular assemblies, in political clubs, by party organizations, and by solemn legislative enactments. You have resisted it by violence, by organized force, by mobs, even unto battle, death, and murder. The citizen of the South, engaged in the lawful effort to recover his own property, has been publicly and barbarously put to death, and the murderer has found safety and security in the public sentiment of the North, and in lawless combinations of Abolitionists, Free-Soilers, bullies, and blackguards.

All this was true, even before the mockery of compromise to which the South was called upon to submit in 1850, when the North took all, and more than all, acquired from Mexico, with the eighty-two thousand square miles purchased from Texas; when the North wrested from the southern citizen the right to sell his own property in the city of Washington, and slavery itself was virtually abolished in the District of Columbia. For all this, the North condescended to vouchsafe to the South the reënactment of the fugitive slave law, and the recognition of the doctrine of congressional non-intervention; the latter of which has been metamorphosed into the absurd and mischievous doctrine of squatter sovereignty by one political party of the North, and utterly repudiated by the other, or Black Republican party. The reënactment of the fugitive slave law only served to afford to the North an opportunity to reënact the insulting violation of plighted faith, and to outrage the rights of the South by an utter disregard of all social, moral, religious, legal, and constitutional obligation. I salute the honorable gentleman from Pennsylvania. Once more I commend the poisoned chalice to his lip. Sir, the charge of breach of plighted faith comes with ill grace from that side of the House.

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